



Local Government (Wales) Measure 2011

2011 nawm 4

PART 1

STRENGTHENING LOCAL DEMOCRACY

CHAPTER 1

PROMOTING AND SUPPORTING MEMBERSHIP OF LOCAL AUTHORITIES

Survey of councillors and unsuccessful candidates for election as councillors

1 Duty to conduct a survey

- (1) A local authority must, in accordance with regulations under this section, conduct a survey of—
 - (a) councillors in its area, and
 - (b) unsuccessful candidates for election to the office of councillor in its area.
- (2) A local authority must conduct a survey after each ordinary election to—
 - (a) the council of the county or county borough, and
 - (b) a community council in the local authority's area.
- (3) The survey must be conducted by—
 - (a) asking prescribed questions in any prescribed form or manner, and
 - (b) collating the information in any prescribed form or manner.
- (4) The questions that may be prescribed under subsection (3) include (but are not limited to) questions about the individual to whom they are addressed which relate to—
 - (a) gender;
 - (b) sexual orientation;
 - (c) language;
 - (d) race;

- (e) age;
 - (f) disability;
 - (g) religion or belief;
 - (h) health;
 - (i) education and qualifications;
 - (j) employment;
 - (k) work as a councillor.
- (5) Nothing in this section places a duty on a councillor or an unsuccessful candidate for election to the office of councillor to provide any information.
- (6) A local authority must make arrangements for councillors and unsuccessful candidates for election to the office of councillor to provide information under this section anonymously.
- (7) section—
- “belief” (“*cred*”) means any religious or philosophical belief and a reference to belief includes a reference to a lack of belief;
 - “councillor” (“*cyngorydd*”) includes community councillor;
 - “disability” (“*anabled*”) means a physical or mental impairment that has a substantial and long-term adverse effect on a person’s ability to carry out normal day to day activities;
 - “race” (“*hi*”) means colour, nationality or ethnic or national origins;
 - “religion” (“*crefydd*”) means any religion and a reference to religion includes a reference to a lack of religion;
 - “sexual orientation” (“*cyfeiriadedd rhywiol*”) means a person’s sexual orientation towards—
 - (a) persons of the same sex,
 - (b) persons of the opposite sex, or
 - (c) persons of either sex.

2 Completion of a survey and publication of information

- (1) A local authority must complete its survey and provide the information collated in it to the Welsh Ministers within six months of the date of the ordinary election to which it relates.
- (2) A local authority must provide the information in any prescribed form or manner.
- (3) A local authority may publish the information collated in a survey in such manner as it considers appropriate, subject to subsection (6).
- (4) The Welsh Ministers must—
- (a) collate the information they receive from local authorities under this section, and
 - (b) publish it within twelve months of the date of the ordinary election to which it relates.
- (5) The Welsh Ministers may—
- (a) publish information under subsection (4)(b) in such manner as they consider appropriate, subject to subsection (6);

- (b) share any information provided to them under subsection (1) with any body representing the interests of county, county borough or community councils in Wales.
- (6) No information received under section 1 or this section is to be published or shared in any form that, either by itself or in combination with any other information, identifies any individual to whom it relates or enables that individual to be identified.

3 Guidance about surveys

In exercising its functions under sections 1 and 2, a local authority must have regard to guidance given by the Welsh Ministers.